

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CANOPIUS US INSURANCE, INC.,
Plaintiff,**

CIVIL ACTION

v.

**FRANK THAN d/b/a FRANK'S
HARDWOOD FLOORS, PHUONG
NGUYEN, TRANG NGO, and TONA
NGUYEN,
Defendants.**

NO. 11-6967

ORDER

AND NOW, this 12th day of March, 2013, upon consideration of Plaintiff Canopus US Insurance, Inc.'s Motion for Summary Judgment (Document No. 21, filed October 9, 2012), Defendant Tona Nguyen's Response in Opposition to Plaintiff Canopus US Insurance, Inc.'s Motion for Summary Judgment (Document No. 24, filed October 23, 2012), Reply Memorandum of Law of Plaintiff Canopus US Insurance, Inc. To Defendant Tona Nguyen's Opposition to Motion for Summary Judgment (Document No. 26, filed November 12, 2012),¹ for the reasons stated in the Memorandum dated March 12, 2013, **IT IS ORDERED** as follows:

1. Plaintiff Canopus US Insurance, Inc.'s Motion for Summary Judgment is **GRANTED**;
2. Judgment is **ENTERED IN FAVOR** of plaintiff Canopus US Insurance, Inc., and **AGAINST** defendants Frank Than d/b/a Frank's Hardwood Floors, Phuong Nguyen, Trang Ngo, and Tona Nguyen; and
3. The Court **DETERMINES** that Canopus US Insurance, Inc. has no duty to defend or indemnify Frank Than d/b/a Frank's Hardwood Floors in Civil Action #110200671 filed by

¹ Defendant Frank Than d/b/a Frank's Hardwood Floors did not file a response to the Motion for Summary Judgment.

Phuong Nguyen and Trang Ngo, and Civil Action #111101267 filed by Tona Nguyen, in the Philadelphia County Court of Common Pleas.

IT IS FURTHER ORDERED that the Clerk of Court shall **MARK** this case **CLOSED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois
DuBOIS, JAN E., J.